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DEPARTMENT OF VETERANS AFFAIRS

Billing Code 8320-01

Loan Guaranty: Maximum Allowable Foreclosure Timeframes.

AGENCY: Department of Veterans Affairs (VA).

ACTION: Notice.

SUMMARY: This notice provides information to participants in the U.S. Department of Veterans Affairs (VA) home loan guaranty program concerning the state foreclosure timeframes allowable in the calculation of the maximum interest payable on a foreclosure of a VA-guaranteed loan. The table in this notice contains the timeframes the Secretary has determined to be reasonable and customary for all states, following an annual review of amounts allowed by other government-related home loan programs.

DATES: The new foreclosure timeframes will be effective for all loan terminations completed on or after [Insert date 30 days after date of publication in the FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Andrew Trevayne, Assistant Director for Loan and Property Management, Department of Veterans Affairs, 810 Vermont Ave, NW, Washington, DC 20420, (202) 632-8795 (not a toll-free number).

SUPPLEMENTARY INFORMATION: In accordance with 38 U.S.C. Chapter 37, the VA home loan guaranty program offers a partial guaranty against loss to lenders who make home loans to Veterans. VA regulations concerning the payment of loan guaranty claims are set forth at 38 CFR 36.4300, et seq. Computation of guaranty claims is addressed in 38 CFR 36.4324, which states that one part of the indebtedness upon which the guaranty percentage is applied is the allowable expenses/advances as described in 38 CFR 36.4314 (re-designated from § 36.4814).

The Secretary annually reviews timeframes in connection with the termination of single-family housing loans including foreclosure, deed-in-lieu of foreclosure, and bankruptcy-related services, issued by the Department of Housing and Urban Development (HUD), Fannie Mae, and Freddie Mac. See 38 CFR 36.4322(a). Based on increases announced over the past year by these entities, the Secretary has deemed it necessary to publish in the Federal Register revised timeframes the Secretary now determines reasonable and customary.

The following table represents the Secretary's determination of the reasonable foreclosure timeframes for the preferred method of terminating VA-guaranteed loans and mirrors the timeframes allowed by Fannie Mae. This table will be available throughout the year at: <http://www.benefits.va.gov/homeloans/>. Pursuant to 38 CFR 36.4314(f)(2) and § 36.4324(a)(3)(ii), a guaranty claim can include unpaid interest for a period of up to 210 calendar days from the due date of the last paid installment, in addition to the State calendar day timeframe for foreclosure.<sup>1</sup> These timeframes will be allowed for all loan terminations completed on or after [Insert date 30 days after date of publication in the FEDERAL REGISTER].

Jurisdiction	Time frame (calendar days)
Alabama	360
Alaska	450
Arizona	330
Arkansas	450
California	510
Colorado	420
Connecticut	750
Delaware	780
District of Columbia	300
Florida	810
Georgia	330
Guam	500
Hawaii	840
Idaho	540
Illinois	630
Indiana	570
Iowa	630
Kansas	420
Kentucky	540
Louisiana	510
Maine	690

Jurisdiction	Time frame (calendar days)
Maryland	660
Massachusetts	440
Michigan	300
Minnesota	390
Mississippi	360
Missouri	330
Montana	450
Nebraska	420
Nevada	690
New Hampshire	420
New Jersey	750
New Mexico	720
New York—Western Counties <sup>2</sup>	820
New York—Eastern Counties	990
North Carolina	450
North Dakota	630
Ohio	570
Oklahoma	570
Oregon	600
Pennsylvania	750
Puerto Rico	720

Jurisdiction	Time frame (calendar days)
Rhode Island	660
South Carolina	600
South Dakota	570
Tennessee	300
Texas	390
Utah	540
Vermont	810
Virgin Islands	510
Virginia	390
Washington	660
West Virginia	300
Wisconsin	510
Wyoming	330

1 VA will extend the timeframes above, and increase the amount of resultant interest payable under a claim, if VA determines that an acceptable cause prevented the holder from foreclosing timely. For an in-depth explanation of the allowable causes and the procedures for requesting increases, see 38 CFR 36.4314(f)(2), 36.4324(a)(3)(ii), VA Loan Electronic Reporting Interface (VALERI) Servicer guide, and VA's website at [http://www.benefits.va.gov/homeloans/servicers\\_valeri.asp](http://www.benefits.va.gov/homeloans/servicers_valeri.asp).

2 Western Counties of New York for VA are: Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Steuben, Wayne, Wyoming, and Yates. The remaining counties are in Eastern New York.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Robert L. Nabors II, Chief of Staff, Department of Veterans Affairs, approved this document on November 20, 2015, for publication.

Dated: November 30, 2015.

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